PATENT
ATTORNEY DOCKET NO.: 041514-5114

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re Application of: ) | |
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| Mitsuru SATO et al. ) | Confirmation No.: 4674 |
| ) | |
| Application No.: 09/813,898 ) | Group Art Unit: 2652 |
| ) | |
| Filed: March 22, 2001 ) | Examiner: Peter V. Agustin |
| ) | |
| Date of Allowance: March 17, 2005 ) | |
| ) | |
| For:  TRACKING SERVO APPARATUS OF ) | |
|       OPTICAL INFORMATION RECORDING ) | |
|       AND REPRODUCING APPARATUS ) | |

**HAND-DELIVERY TO:**
**Office of Petitions**
**U.S. Patent and Trademark Office**
**Madison Building West**
**600 Dulany Street**
**Alexandria, VA 22314**
**Attn:  Petitions Examiner Karen Creasy**
**Tel:  571-272-3208**

Sir:

## PETITION UNDER 37 C.F.R. § 1.313(c)
## TO WITHDRAW APPLICATION FROM ISSUE

Applicants hereby request withdrawal from issue of the present application under 37

C.F.R. § 1.313(c)(2) in light of the Request for Continued Examination (RCE) under 37 C.F.R. §

1.114 submitted herewith to permit consideration of an Information Disclosure Statement under

37 C.F.R. § 1.97(b) being concurrently filed.

A check is enclosed in the amount of **$920.00** to cover the Petition Fee of $130.00 as set

forth in 37 C.F.R. § 1.17(h) as well as the RCE filing fee of $790.00.

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**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application, including fees under 37 C.f.R. §§ 1.66 and 1.77 which may be required, including any required extension of time, fees, or credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**DRINKER, BIDDLE & REATH LLP**

Dated: June 13, 2005

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